

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT GREENEVILLE

UNITED STATES OF AMERICA)
)
v.) Case No. 2:19-CR-067
)
TODD MICHAEL BENNINGTON)

ORDER

On November 18, 2020, United States Magistrate Judge C. Clifford Shirley conducted a change of plea hearing and filed a Report and Recommendation (“R&R”) recommending: (1) that the Court find that the plea hearing in this case could not be further delayed without serious harm to the interests of justice; (2) that the defendant’s plea of guilty to the charge in Count One of the second superseding indictment be accepted; (3) that the defendant be found guilty of that charge; (4) that a decision on whether to accept the plea agreement be deferred until sentencing; and (5) that the defendant remain on bond until his sentencing hearing. [Doc. 141]. No objections have been filed to the R&R, and the time for doing so has now passed. *See* Fed. R. Crim. P. 59(b)(2).

The Court has thoroughly reviewed the R&R. Having done so, Magistrate Judge Shirley’s R&R [doc. 141] is **ACCEPTED** and **ADOPTED** in full.

Pursuant to 28 U.S.C. § 636(b)(1), it is **ORDERED** that:

1. The plea hearing conducted in this case on November 18, 2020, could not have been further delayed without serious harm to the interests of justice;

2. The defendant's plea of guilty to the charge in Count One of the second superseding indictment, that is, of knowingly conspiring to distribute oxycodone, in violation of 21 U.S.C. §§ 846, 841(a)(1) and (b)(1)(C), is **ACCEPTED**;

3. The defendant is **ADJUDGED** guilty of Count One of the second superseding indictment;

4. The decision whether to accept the parties' plea agreement is **DEFERRED** until sentencing; and

5. The defendant shall remain on bond until sentencing, which is scheduled to take place on **Tuesday, March 23, 2021, at 10:00 a.m.** in Knoxville.

IT IS SO ORDERED.

ENTER:

s/ Leon Jordan

United States District Judge